

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 628 by Representative Landry

CIVIL/PROCEDURE: Provides for the delays for certain child custody orders

Synopsis of Senate Amendments

1. Adds a provision, relative to child visitation, that a parent's addiction to a controlled dangerous substance may be considered as an extraordinary circumstance in determining visitation rights.

Digest of Bill as Finally Passed by Senate

Present law provides for an incidental order of temporary custody and injunctive relief during the pendency of an action for divorce.

Present law provides, in part, that an ex parte order of custody shall expire within 15 days of the signing of the order, that temporary visitation during the 15 days may be provided for in the order, and that the custody hearing shall be assigned for hearing no more than 15 days after signing of the ex parte order.

Proposed law retains present law, but extends the period for expiration of the order and assignment for the hearing from 15 days to 30 days.

Present law provides that, under extraordinary circumstances, a relative, by blood or affinity, or a former stepparent or stepgrandparent, not granted custody of the child may be granted reasonable visitation if the court finds that it is in the best interest of the child, and provides for certain conditions the court shall consider in making its decision.

Proposed law includes a parent's addiction to a controlled dangerous substance as an extraordinary circumstance to be considered by the court in determining visitation rights.

(Amends C.C.P. Art. 3945(C)(1) and (2) and (D) and Civil Code Article 136(C); Adds Civil Code Article 136(D))